

Notice of Allowability

Application No.

09/919,942

Applicant(s)

CENTORE, MICHAEL A.

Examiner

Art Unit

William J. Deane

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/02/2001.
2. ☒ The allowed claim(s) is/are 1-78.
3. ☒ The drawings filed on 01 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


WILLIAM J. DEANE, JR.
PRIMARY EXAMINER

DETAILED ACTION

Allowable Subject Matter

Claims 1 - 78 allowed.

The following is an examiner's statement of reasons for allowance:

With respect to claim 1, the prior art does not fairly teach or disclose alone or in combination a radio-frequency transmitting apparatus that can operate concurrently with a television broadcast comprising a power controller configured to receive a generated radio-frequency signal and output a varying signal by continuously varying the power of the outputted signal in proportion to a voltage level of the video signal and an antenna coupled to the power controller and configured to receive and transmit the varying signal, where the transmitted varying signal and the television broadcast have sufficient spectral proximity to potentially cause interference.

With respect to claim 15, the prior art does not fairly teach or disclose alone or in combination a radio-frequency transmitting apparatus that can operate concurrently with a television broadcast comprising a sensitivity controller coupled to the receiving circuitry and to one or more front-end stages, the sensitivity controller configured to receive the generated signal and output a varying signal by continuously varying the power of the outputted signal in proportion to a voltage level of the video signal and including a demodulator coupled to the sensitivity controller and configured to receive and convert the varying signal into data.

With respect to claims 31, 33, 55 and 68 the prior art does not fairly teach or disclose alone or in combination a concurrent transceiver that operates concurrently with a television broadcast including a power controller that continuously varies emitted power levels of a radio-frequency signal based on voltage levels of the a video signal in order to mitigate interference of the first radio signal with the television broadcast and a sensitivity controller configured to continuously vary received power levels of a second frequency signal based on a voltage level of a video signal so as to mitigate interference of the television broadcast with the second radio-frequency signal.

With respect to claims 39, 45, 74 and 76, the prior art does not fairly teach or disclose alone or in combination the steps of transmitting a radio-frequency signal from the transmitting apparatus, the radio-frequency signal and television broadcast having sufficient spectral proximity to potentially cause interference and continuously varying a power level of the transmitted radio-frequency signal in proportion to the voltage level of a current video signal so as to interference of the transmitted radio-frequency signal with the television broadcast.

With respect to claim 51, the prior art does not fairly teach or disclose alone or in combination the step of continuously controlling one or both of a transmitter emitted power and a receiver sensitivity of the transceiver apparatus in proportion to the voltage level of the received video signal as to mitigate interference between the transceiver apparatus and a television broadcast.

With respect to claim 62, the prior art does not fairly teach or disclose alone or in combination a radio-frequency transmitting apparatus that can operate concurrently with

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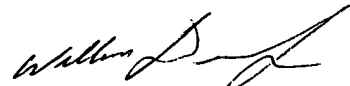
a television broadcast comprising a power controller configured to adjust a power level of the radio-frequency signal in a predetermined relationship with the television broadcast, so as to mitigate interference between the generated radio-frequency signal and the television broadcast.

With respect to the above, the closest prior art is U.S. Patent No. 5,177,604 (Martinez) and U.S. Patent No. 5,862,460 (Rich.). For example, Martinez discloses many similar attributes as in the instant application including, for example, TV signals and radio signals in close proximity, horizontal blanking interval (HIB) and vertical blanking interval (VBI). Rich teaches power controlling but does not disclose VBI or HBI or blanking. However, neither teach alone or in combination a power controller and/or a sensitivity controller in mitigating interference involving VBI or HBI or blanking or television broadcasts and a varying signal or transmitted radio-frequency signal as described above in the independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (571) 272-7478. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (703) 872-9314.

25Jun05



WILLIAM J. DEANE, JR.
PRIMARY EXAMINER